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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q61536

Tasuku HONJO, et al.

Appln. No.: 09/674,330

Group Art Unit: 1652

Confirmation No.: 5233

Examiner: Kerr, K.

Filed: December 20, 2000

For: A POLYPEPTIDE, A cDNA ENCODING THE POLYPEPTIDE AND UTILIZATION THEREOF

**STATEMENT OF SUBSTANCE OF INTERVIEW**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on or around February 5, 2004:

**REMARKS**

During the interview, the following was discussed:

**1. Brief description of exhibits or demonstration:**

None.

**2. Identification of claims discussed:**

Claims 3, 5, and 6, 14 and 15.

**3. Identification of art discussed:**

None.

**4. Identification of principal proposed amendments:**

The Examiner's Amendment of February 2, 2004 was discussed. In addition, Applicants asked the Examiner whether new claims to homologous cDNA might be allowable.

**5. Brief Identification of principal arguments:**

(a) Applicants pointed out that SEQ ID NO: 2 and 7 refer to cDNA. Therefore, claims 5 and 6 should recite cDNA rather than DNA.

(b) The Examiner stated that because claim 3 recites specific amino acid sequences, the recited homology must refer to amino acid rather than nucleotide sequence.

(c) Applicants asserted that the specification contains support for homologous cDNA as well as polypeptide sequences.

**6. Indication of other pertinent matters discussed:**

Other minor amendments were also discussed.

**7. Results of Interview:**

(a) The Examiner agreed that SEQ ID NO: 2 and 7 refer to cDNA, and that claims 5 and 6 could properly recite cDNA rather than DNA..

(b) Applicants agreed to amend claim 3 as suggested by the Examiner.

(c) The Examiner agreed that new claims reciting cDNAs that are 95% homologous to SEQ ID NO: 1, 6, or 10 would be allowable.

(d) The SEQ ID NO: language in claims 1 and 15 was amended to parallel that of claim 3.

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(e) Claim 14 was amended to describe the polypeptide of claim 2, rather than depend from claim 2.

**It is believed that no petition or fee is required.** However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

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Date: February 17, 2004